

IN THE UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN THOMSON,

Plaintiff

v.

ROCHE DIAGNOSTICS CORPORATION,

Defendant.

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CASE NO. 1:23-cv-00099-SEB-MG

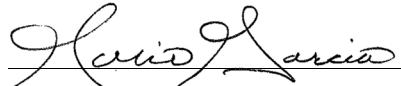
ORDER

Defendant, Roche Diagnostics Corporation, by counsel, filed its unopposed motion to maintain documents under seal, which were filed as exhibit 1 to its Answer to Plaintiff's Amended Complaint. Roche's memorandum in support explains why the document, Sales and Service Incentive Compensation Plan Policy ("Policy") filed under seal qualifies as a trade secret. The court previously held that Defendant's incentive compensation plan documents ("Plans") filed under seal by Plaintiff with his answer were trade secrets entitled to protection from public disclosure. [Filing No. 30] The Defendant states that the Policy document is similarly a trade secret because it is integral to the Plan documents and contains essential terms and processes that make up the complete compensation agreement. Defendant says the Policy and the Plans are "used by [Defendant] to attract and retain qualified employees," is not generally known to other persons and derives value in Defendant's industry by virtue of its confidential status. The Court finds Defendant has provided sufficient basis for sealing the documents inasmuch as the documents reflect trade secrets. See *Baxter Int'l Labs.*, 297 F. 3d 544, 546-547 (7th Cir. 2002)(holding that the protection of trade secrets is an exception to the strong preference for open proceedings).

Therefore, the Motion to Maintain Documents Under Seal, is GRANTED. The document at Dkt. 32 shall remain sealed.

SO ORDERED.

Date: 5/3/2023



Mario Garcia
United States Magistrate Judge
Southern District of Indiana

Distribution to:

All Counsel of Record through CM/ECF